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THE 22ND ANNUAL

# Corporate Counsel Institute: An Insider's Guide to Washington

March 14-16, 2018

Georgetown University Law Center, Washington, DC



Keynote Speaker:

**Stephen M. Cutler**

Luncheon Speaker:

**Andrea Mitchell**

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## Why Attend?

At this year's 22nd Annual Corporate Counsel Institute, you will receive updates and predictions from leading federal officials, in-house counsel and outside counsel subject matter experts. This year more than ever, the Institute will be your place to obtain important tips, solutions, and ideas as changes develop rapidly in the private sector.

### At the 2018 Institute, you will:

- Network with public and private sector peers from all sections of the United States
- Review the latest trends about the evolving role of the in-house lawyer
- Obtain best practice advice on critical areas of law affecting large and small companies
- Receive practical suggestions from federal enforcement and regulatory officials representing the SEC, CFPB, DOJ, DOL, and FTC

Our 22nd annual Institute includes plenary and break-out sessions so that you can customize your own learning experience. For more than 20 years, in-house and outside counsel from all sections of the country have been convening in Washington, DC for this educational and networking opportunity. This is a must attend event that should not be missed!

## Women General Counsel Forum

Wednesday, March 14

5:30-6:30 pm

Registration and Networking

6:30-7:30 pm

Sexual Harassment in the Workplace:  
Lessons Learned and Planning for the Future

### INTRODUCTIONS BY:

**Kathleen T. Barlow**, Senior Vice President,  
Marsh & McLennan Companies

### MODERATOR:

**Marcia A. Wiss**, Wiss & Partners LLP

### PANELISTS:

To be confirmed

7:30-8:30 pm

Champagne and Chocolate Reception

Sponsored by Hogan Lovells and Wiss Partners LLP

## Agenda

Thursday, March 15

8:15-8:45 am

Registration and Continental Breakfast

8:45-9:00 am

Welcome and Overview

**Jill C. Castleman**, Executive Director, Georgetown Law CLE

**Ann M. Kappler**, Program Co-Chair

**Thomas P. Kurz**, Program Co-Chair

9:00-10:00 am

Keynote Address



### SPEAKER:

**Stephen M. Cutler**, Executive Vice President & Vice Chairman,  
JPMorgan Chase & Co.

10:00-10:15 am

Networking Break

10:15-11:15 am

2018 Institute Enforcers' Update

### PANELISTS:

**Stephanie Avakian**, Co-Director, Division of Enforcement, U.S.  
Securities and Exchange Commission (Invited)

**Thomas B. Pahl**, Acting Director, Bureau of Consumer  
Protection, U.S. Federal Trade Commission (Invited)

**Sandra Moser**, Acting Chief, Fraud Section, U.S. Department of  
Justice (Invited)

- Assess agency enforcement priorities for 2018
- Examine best practices for avoiding enforcement action
- Understand how federal agencies collaborate and cooperate on enforcement activities


11:15-11:30 am

Networking Break

11:30 am-12:45 pm

### CONCURRENT SESSIONS

#### SESSION A

 The Role of the General Counsel in  
Enterprise-Wide Risk and Crisis  
Management

### MODERATOR:

**Robert Bostrom**, Senior Vice President, General Counsel &  
Secretary, Abercrombie & Fitch

#### PANELISTS:

**Andrea Bonime-Blanc**, Founder & CEO, GEC Risk Advisory

**James Lam**, Independent Director, Chair of the Risk Oversight Committee, Member of the Audit Committee, E\*Trade Financial Corporation; President, James Lam & Associates

**Myrna Soto**, Corporate Senior Vice President & Global Chief Information Security Officer, Comcast; Corporate Director, Board of Directors, Spirit Airlines; Member, Board of Directors, Consumers Energy

- Learn about the best practices for enterprise risk management and crisis management
- Understand the roles of management, the general counsel and the board
- Analyze the lessons learned from Enron to Volkswagen, GM, Wells Fargo, Uber and Equifax

#### SESSION B

### 📶 Artificial Intelligence, Machine Learning, and Other Forms of Technology: Transforming the Practice of Law

#### PANELISTS:

**Daniel Katz**, Co-Founder & Chief Strategy Officer, LexPredict; Associate Professor of Law, Chicago Kent College of Law

**Michael Mills**, Co-Founder & Chief Strategy Officer, Neota Logic Inc.

**Marc Teerlink**, Global Vice President SAP Leonardo, New Markets & AI, SAP; Former Chief Business Strategist, IBM Watson Group, IBM

- Hear a cutting edge discussion on leading legal issues surrounding AI, machine learning, blockchain, and other forms of technology impacting corporate legal departments and law firms
- Consider the applicability today and five years from now including regtech's impact on corporate compliance and legal departments
- Receive tips for how to get ready for this transformational wave
- Learn about the potential regulatory and legal ethics reform this may require

#### SESSION C

### 📶 Diversity in the Legal Profession: The Impact on Unconscious Bias on Progress, and Lessons Learned to Improve Success

#### MODERATOR:

**Joseph K. West**, Partner and Chief Diversity and Inclusion Officer, Duane Morris LLP

#### PANELISTS:

**Paul S. Williams**, Major, Lindsey & Africa

**Aïda W. Babalola**, Legal Director, Employment Law, PepsiCo

**Lisa Kirby**, Director of Research, Diversity Lab

- Understand the lessons learned to improve diversity in the legal profession
- Receive an update on relevant litigation

- Hear about innovative diversity and inclusion practices and any legal risks companies and law firms should consider relating to these initiatives
- Learn about hiring and promotion goals, "Rooney Rules," set-aside rotational programs, diversity metrics in reviewing performance, and diversity considerations in RIFs
- Discuss the effectiveness of diversity and inclusion programming and training including unconscious/implicit bias training

12:45-2:15 pm

### Luncheon and Address



#### SPEAKER:

**Andrea Mitchell**, NBC News

2:30-3:45 pm

#### CONCURRENT SESSIONS:

#### SESSION A

### 📶 The Role of the General Counsel in Compliance

#### MODERATOR:

**John H. Walsh**, Eversheds Sutherland (US) LLP

#### PANELISTS:

**Michelle Beistle**, Counsel & Chief Compliance Officer, Privacy & Ethics, Unisys (Invited)

**Elisabeth W. Gehringer**, Chief Ethics & Compliance Officer, Realogy Holdings Corp.

**Mark Chandler**, Senior Vice President & General Counsel, Chief Compliance Officer, Cisco

- Review the legal risks compliance programs should cover
- Understand how to allocate responsibility for compliance between compliance officers, the general counsel, and the board of directors
- Consider the applicable standards for an effective compliance program
- Receive tips for evaluating the effectiveness of compliance programs

#### SESSION B

### How Recent Tax Law Changes Will Likely Impact Companies

#### MODERATOR:

**Deborah White**, General Counsel, Retail Industry Leaders Association

#### PANELISTS:

To be confirmed

- Learn about the most important tax law changes

- Consider potential state tax law changes
- Explore potential avenues to mitigate the enforcement of change

#### SESSION C

### 📶 Labor and Employment Law in the Trump Administration

#### MODERATOR:

**Paul Lalli**, Global Counsel, Labor & Human Rights, General Electric

#### PANELISTS:

**Nicholas C. Geale**, Acting Solicitor, U.S. Department of Labor

**Hon. Chai R. Feldblum**, Commissioner, U.S. Equal Employment Opportunity Commission

- Hear about government litigation, recent court decisions involving federal agencies, strategic plans and task forces, and recent and expected EEOC, NLRB, and DOL guidance and Executive Orders impacting employers
- Learn how the Administration's directives will impact enforcement of employment laws
- Analyze the agency's current positions on independent contractor status, wage and hour, and equal employment opportunity
- Receive answers to your toughest questions from top federal officials

3:45-4:15 pm

### Networking Break

4:15-5:30 pm

### 📶 Cybersecurity: Developing a Privacy & Security Program, Regardless of Your Budget

#### MODERATOR:

**Peter McLaughlin**, Partner, Privacy & Data Security, Burns & Levinson LLP

#### PANELISTS:

**Maneesha Mithal**, Associate Director, Division of Privacy and Identity Protection, Bureau of Consumer Protection, Federal Trade Commission (Invited)

**Kenneth P. Mortensen**, Data Protection Officer, Global Trust & Privacy, InterSystems

**Elise Houlik**, Associate General Counsel, Fannie Mae

- Receive practical tips for assessing risk within your organization
- Obtain guidance on how others have prioritized addressing the risk of data loss even on a limited budget
- Hear about the FTC's evolving thoughts on what constitutes reasonable security
- Consider how cyber risk policies have matured and become better products through experience and improved underwriting

5:30-7:00 pm

### Networking Cocktail Reception

Sponsored by Alvarez & Marsal

Friday, March 16

8:30-9:00 am

## Continental Breakfast

9:00-10:00 am

## 📶 2018 General Counsel Panel

MODERATOR:

**Stasia Kelly**, DLA Piper

PANELISTS:

**Tim Hughes**, General Counsel, Space X (invited)

**Kent Walker**, General Counsel, Google (invited)

- Explore top-of-mind legal issues for a general counsel in 2018
- Review how the general counsel role continues to evolve in the modern corporation
- Examine how the relationship between the corporate law department and outside law firms has changed
- Receive tips and strategies for growing the skill sets of your in-house team

10:00-10:20 am

## Networking Break

10:20-11:35 am

## 📶 2018 Supreme Court Review and Preview

MODERATOR:

**Prof. Steven H. Goldblatt**, Director, Supreme Court Institute, Professor of Law, Georgetown University Law Center

PANELISTS:

**Paul D. Clement**, Kirkland & Ellis LLP; Former U.S. Solicitor General

**Donald B. Verrilli, Jr.**, Munger, Tolles & Olson LLP; Former U.S. Solicitor General

- Review and preview the Supreme Court's docket with former Solicitors General
- Assess the impact of important cases on your companies
- Receive answers to your toughest questions from Supreme Court experts

11:35-11:55 am

## Boxed Lunch Distribution

11:55 am-1:10 pm

## CONCURRENT SESSIONS

### SESSION A

## 📶 Private Ordering: The Role of the Private Sector in Lieu of Regulation

MODERATOR:

**Robert Bostrom**, Senior Vice President, General Counsel & Secretary, Abercrombie & Fitch

PANELISTS:

**Holly J. Gregory**, Partner, Sidley & Austin LLP

**Mary A. Francis**, Corporate Secretary and Chief Governance Officer, Chevron Corporation

**Darla Stuckey**, President & CEO, Society for Corporate Governance

- Understand how general counsel and outside counsel should anticipate new areas of private ordering as well as traditional legislative and regulatory developments
- Analyze how the absence of government regulation has led investors and NGOs to force behavior through advocacy, engagement, shareholder resolutions and proxy voting
- Consider how and why various efforts failed to affect regulatory change through the governmental rulemaking process

### SESSION B

## International Trade and Investment: Should the General Counsel Care about the US Retreat from International Agreements?

MODERATOR:

**Marcia Wiss**, Wiss & Partners LLP

PANELISTS:

**Linda Dempsey**, Vice President, International Economic Affairs Policy, National Association of Manufacturers

- Understand the legal consequences of the U.S.'s retreat from international agreements
- Consider what may replace NAFTA, T-TIP, TPP, etc.
- Analyze the possible implications for General Counsels

1:10-1:30 pm

## Networking Break

1:30-3:30 pm

## 📶 Legal Ethics for Corporate Counsel

Speaker: **Stuart I. Teicher**

- Discuss ABA Model Rules 1.1, 1.13, 2.1, 5.5
- Consider the ethical issues when lawyers cross the border
- Understand the broadening nature of our ethical duty to be aware of technological pitfalls...including supervision
- Analyze the ethical problems with frictionless computing
- Learn how tweeting can get lawyers in trouble- on their own time and at work

3:30 pm

## Adjournment



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THE 22ND ANNUAL | March 14-16, 2018

## Corporate Counsel Institute: An Insider's Guide to Washington



### 10 REASONS WHY YOU SHOULD ATTEND

1. **Gain** insights from our keynote speaker, Stephen M. Cutler
2. **Examine** the role of the press during the Trump Administration with NBC's Andrea Mitchell
3. **Review** the most significant Supreme Court cases affecting business with former Solicitors General Donald Verrilli and Paul Clement
4. **Obtain** guidance on 2018 enforcement priorities from officials at the DOJ, SEC and FTC
5. **Discuss** priorities in the Trump administration and on Capitol Hill with informed insiders
6. **Assess** the general counsel's role in enterprise-wide risk and crisis management
7. **Receive** tips on proven best practices for enhancing diversity in law firms and corporate legal departments
8. **Consider** practical tips for developing a privacy and security program regardless of your budget
9. **Review** the best practices for building an effective corporate compliance program
10. **Analyze** the possible implications for general counsels if the U.S. retreats from international trade agreements